

Town Councils (Amendment) Bill

Table of Contents

Bill No: 26/1996

Read the first time: 27th August 1996

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 2

3 Amendment of section 3

4 Amendment of section 8

5 Amendment of section 12

6 Amendment of section 19

7 Amendment of section 24

8 Amendment of section 33

9 New section 33A

10 Amendment of section 43

11 Amendment of section 43E

12 Amendment of section 45

Explanatory Statement

Expenditure of Public Money

Town Councils (Amendment) Bill

Bill No. 26/1996

Read the first time on 27th August 1996.

An Act to amend the Town Councils Act (Chapter 329A of the 1989 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Town Councils (Amendment) Act 1996 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2(1) of the Town Councils Act (referred to in this Act as the principal Act) is amended —

- (a) by deleting the words “for the purpose of carrying on any business” in the fourth and fifth lines of the definition of “commercial property” and substituting the words “wholly or partly as a shop, office, creche, public hall, a residential institution providing accommodation or care to persons in need of care, or an institution providing education or instruction”; and
- (b) by deleting the words “or partly” in the fifth line of the definition of “residential property”.

Amendment of section 3

3. Section 3 of the principal Act is amended —

- (a) by inserting, immediately after subsection (1), the following subsection:

“(1A) Notwithstanding subsection (1), the Minister may, on the expiration of 8 days after the date of publication of the results of any

general election in the *Gazette* under section 51 of the Parliamentary Elections Act [Cap. 218], by order under subsection (1) declare each constituency to be a Town except those constituencies whose Members of Parliament have agreed to their constituencies being declared to be a Town.”;

- (b) by inserting, immediately after the words “former constituency within a Town” in the third line of subsection (3), the words “or any part of a former constituency within a Town (referred to in this section as the relevant area)”;
- (c) by inserting, immediately after the words “within that area” in the eleventh line of subsection (3), the words “as if the order had not been made”; and
- (d) by inserting, immediately after subsection (3), the following subsection:

“(3A) Nothing in subsection (3) shall authorise the Town Council of the Town firstmentioned therein to draw on either —

- (a) any surpluses of the Town Council which are required under section 33A to be transferred to its sinking funds; or
- (b) any balance of those surpluses,

to maintain and manage the common property of the residential and commercial property in the housing estates of the Board within the relevant area.”.

Amendment of section 8

4. Section 8(1) of the principal Act is amended by deleting paragraph (b) and substituting the following paragraph:

- “(b) such other members appointed by the chairman in accordance with subsection (2) —
- (i) being not more than 10 members for every Member of Parliament required to be returned at a general election or by-election for the constituencies comprised within the Town; or
 - (ii) being not more than 30 members,
- whichever is the greater but in any case being not less than 6 members.”.

Amendment of section 12

5. Section 12(4) of the principal Act is amended by deleting the words “in the manner prescribed in section 9” at the end thereof and substituting the words “and section 9 shall apply, with the necessary modifications, to such appointment”.

Amendment of section 19

6. Section 19 of the principal Act is amended —

(a) by deleting paragraph (a) of subsection (1) and substituting the following paragraph:

“(a) with the prior written consent of the Board, establish and maintain places and facilities on or make improvements to the common property of the residential and commercial property for the benefit of residents of housing estates of the Board within the Town;”;

(b) by deleting paragraphs (c) and (d) of subsection (1) and substituting the following paragraph:

“(c) impose charges for such use of any part of the common property as the Minister may prescribe, or for the use of any facility or service provided, or for any improvements to the common property made, by the Town Council as it considers necessary, except that no charge shall be imposed for the use by the Board or its agents of any part of the common property;”;

(c) by inserting, immediately after the words “food centre of” in the third line of subsection (2), the words “the Board or”; and

(d) by inserting, immediately after subsection (2), the following subsections:

“(3) A Town Council may, on the request of any public authority or any community-based association, and with the approval of the Minister, carry out any work on behalf of the public authority or association on any property within the Town upon such terms and conditions as may be agreed between the Town Council and the public authority or association, as the case may be.

(4) The Minister may, in prescribing the uses for which charges may be imposed under subsection (1)(c), exempt any person or class

of persons from the payment of such charges.”.

Amendment of section 24

7. Section 24 of the principal Act is amended —

(a) by deleting the words “, with the approval of the Minister,” in subsections (1) and (2);

(b) by deleting subsection (4) and substituting the following subsections:

“(4) Every by-law or amendment of or addition to or revocation of or substitution for any by-law made by a Town Council shall come into operation upon the date specified therein but shall cease to have effect upon the expiration of a period of one month from the date of its publication in the *Gazette* if prior to the expiration of that period it has been disapproved by the Minister by order published in the *Gazette*.

(4A) Any order made by the Minister under subsection (4) shall have effect upon the date specified therein but shall not affect the validity of anything previously done under the disapproved by-law.

(4B) Every by-law or amendment of or addition to or revocation of or substitution for any by-law of a Town Council shall, within 15 days of its coming into operation, be displayed in such places within the Town as the Town Council may direct.”; and

(c) by deleting “\$1,000” at the end of subsection (7) and substituting “\$5,000”.

Amendment of section 33

8. Section 33 of the principal Act is amended —

(a) by inserting, immediately after subsection (8), the following subsection:

“(8A) Notwithstanding anything in this section, upon the registration of the strata title plan in respect of any designated land, the Town Council responsible for the common property of the designated land shall as soon as practicable transfer to the management corporation for the designated land moneys standing to the credit of such of the funds (including sinking funds) of the Town Council Fund which relate to the designated land.”;

(b) by deleting the words “or where the area of a Town is altered” in the first